



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 13TH STREET - SUITE 300

DENVER, CO 80202-2466

<http://www.epa.gov/region08>

Ref: EPR-ER

December 7, 2000

Mr. Jim Stout
Site Project Manager
URS Corporation
Libby Asbestos Site
317 Mineral Avenue
Libby, Montana 59923

Subject: Building Restoration At the Export Plant, UAO No. CERCLA-8-2000-10, Libby
Asbestos Site, Libby, Lincoln County, Montana

Dear Mr. Stout:

Over the last few weeks we have discussed tentative plans concerning the restoration of the five buildings that were decontaminated at the Export Plant as part of the clean-up W.R. Grace is conducting pursuant to the Unilateral Administrative Order CERCLA-8-2000-10 ("the UAO"). Also, as we have discussed, we agreed that you would have until January 8, 2001, to submit final restoration plans for the buildings, to allow time for discussions with the City of Libby, and to then finalize the plans for the agreed upon restorations. By this letter, for reasons outlined below, I am extending the date for submission of building restoration plans until January 18, 2001, and ordering W.R. Grace to stop all work on building restoration until the City of Libby has agreed to the restoration plans, and the EPA has approved them, as required by the UAO.

On Tuesday, December 5, 2000, I did a brief walk through to evaluate the progress of work at the Export Plant. I was somewhat surprised to find that W.R. Grace had started to frame some interior walls inside the Planer Building, since neither I, nor the City of Libby had received any plans concerning this construction to review. I was also disappointed with the quality of the construction work itself. For example, there were no headers above doorways, which were nailed inappropriately; the doorways were too narrow; and the general framing did not appear sufficient to support the structural loads that would be caused by material storage in the loft area above the grinding room.

These concerns were expressed to you, and members of your staff during a brief meeting on the morning of December 6, 2000. I also stressed that I thought it was important to involve the City of Libby in the design and evaluation of the plans for restoration prior to construction, so that we avoid the possibility, and subsequent expense, of having to tear down newly built



structures because the layout was unsatisfactory (as would have been the case with the door size) or that something was not up to code (as would have been the case with the door headers and frames). I also stated that it was important to get review and approval on other features of the restoration, such as plumbing layout, and electrical wiring requirements to avoid similar disputes. I also stated that any work done by W.R. Grace outside of the scope of an approved plan faced the risk of having to be redone.

Later on December 6, 2000, I received a one paragraph document entitled "Restoration Plan, Planer Building at the Export Plant Site in Libby, Mt." dated December 5, 2000. Attached to that was a one page rough layout of the east wall of the Planer Building. On December 7, 2000, I received a copy of a letter from David Cosgriff to Alan Stringer, W.R. Grace & Company (with attachments) concerning a structural analysis of the floor over rooms in the Planer Building. After reviewing these submittals, I met with representatives of the City of Libby (three members of the City Council and the Supervisor of City Services) to discuss these documents, as well as the City's expectations for building restoration at the Export Plant. Based upon this review and subsequent discussion it is clear that the W.R. Grace & Co. submittals are insufficient to allow for much more than a cursory review of the intended building restoration for the Planer Building.

To help clarify what is needed, at a minimum, for each of the five buildings please be advised that the EPA expects each restoration plan to include:

- a. A complete floor plan
- b. Plumbing layout, with specifications
- c. Electrical layout, with specification
- d. Structural details for load bearing walls and members
- e. Details for poured concrete or otherwise constructed floors, with specifications
- f. Discussion of applicable building codes
- g. Discussion of other repairs (e.g. - wall or floor patching, plank replacement)
- h. Outside drainage
- i. Discussion of any other pertinent or building specific construction detail
- j. A project schedule, with sequence of events

From my discussions with W.R. Grace and the City of Libby it is also clear that there are many unresolved issues over the nature and extent of the restoration. These issues, if left unresolved, will lead to future conflict and expense. For example, I have recently heard varying proposals that include: some building demolition with new replacement; building demolition without replacement; complete building renovation, and partial building renovation. It is imperative that these issues be resolved completely prior to beginning building restoration and the relocation of the City's tenants back onto the property.

To be clear, the UAO requires the restoration of all buildings at the Export Plant, and the relocation of the tenants back onto the property after this restoration. Prior to the start of the clean-up there were five legally inhabitable buildings in use at the property, and unless the City of

Libby agrees to some alternative plan, it is the EPA's expectation that there will be five legally inhabitable buildings upon completion of the ordered Removal Action. Given the post decontamination state of some of the buildings, this will be no easy task. EPA therefore hopes that W.R. Grace & Co. will give sufficient planning and forethought to the restoration of these buildings, and not continue an ill-advised, helter-skelter construction project.

During the period of comment and development of the overall Work Plan for the Export Site, the EPA advised W.R. Grace & Co. that it would be likely be much less expensive, and more expedient to simply demolish the buildings in question (avoiding thousands of man-hours of decontamination expense) and replace them with new structures. As you will recall, there were several alternative proposals, typically involving the replacement of the five buildings, with two or three pre-fabricated buildings. At that time W.R. Grace & Co. most ardently stressed that it had the right and ability to decontaminate the buildings, and rehabilitate them as they stood. Having made that choice, and having completed the first half of that decision, it is now incumbent upon W.R. Grace, and a clear requirement of the UAO, to uphold the other half of the decision, and properly restore the buildings.

It is clear to the EPA at this time, that W.R. Grace & Co. will likely need more time to properly plan this stage of the project. To this end we have extended the deadline for the submission of the restoration plans until January 18, 2001. This should also allow ample time for W.R. Grace & Co. to meet with the City of Libby, resolve outstanding issues, consider alternative proposals, and prepare a complete set of restoration plans. If W.R. Grace & Co. comes to an alternative agreement (in writing, signed by both parties) with the City of Libby, that is satisfactory to the City, then EPA will adjust the UAO as needed.

Again, to avoid unnecessary disagreements, and to ensure that a satisfactory quality of construction is obtained, W.R. Grace & Co. is to stop all work on building restoration projects at the Export Plant until an approved restoration plan is finalized. If you have any questions, please contact me.

Sincerely,



Paul R. Peronard
On Scene Coordinator
Libby Asbestos Site

cc: Dan Thede, Supervisor of City Services
Alan Stringer, W.R. Grace & Co. and/or Kootenai Development Corporation
Mel & Judy Burnett